

REMARKS

This paper is submitted in reply to the Office Action dated November 1, 2006, within the three-month period for response. Reconsideration and allowance of all pending claims are respectfully requested.

In the subject Office Action, claims 40 and 41 were rejected under 35 U.S.C. § 101. Additionally, claims 1, 4-12, 14-23, 26-32 and 34-45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,535,227 to Fox et al. in view of U.S. Patent No. 7,107,534 to de Jong et al. Additionally, claims 2-3 and 24-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fox, de Jong and EP 0687977 to Davis et al.

Applicants respectfully traverse the Examiner's rejections to the extent that they are maintained. Applicants have amended claims 1, 16, 23, 35, 40-42, and 44-45, and Applicants respectfully submit that no new matter is being added by the above amendments, as the amendments are fully supported in the specification, drawings and claims as originally filed.

Now turning to the subject Office Action, and initially to the §101 rejection of claims 40 and 41, the Examiner will note that Applicants have amended claim 40 to recite a "physical computer readable signal bearing medium", and have amended claim 41 to exclude a transmission type medium. Applicants respectfully submit that claims 40-41 now recite subject matter that is acceptable under the Office's current guidelines, and withdrawal of the §101 rejection is therefore respectfully requested.

Next turning to the art-based rejections, and specifically to the Examiner's rejection of independent claim 1, this claim has been amended to clarify that (1) the pictorial representation "conveys a relative placement and location of at least a subset of the hardware components in physical space," and (2) the list of available management operations is "dynamically" retrieved and is associated "with at least two selected hardware components among the multiple hardware components having a selected status." Claim 16 has also been amended for consistency with the amendments made to claim 1. Support for the first clarification may be found, for example, at page 10, lines

10-12 of the specification as filed, while support for the second clarification may be found in Fig. 8 as filed.

In rejecting claim 1, the Examiner continues to rely on Fox, but now adds de Jong. The Examiner admits that Fox does not disclose that specific management operations may be performed on multiple hardware components. However, the Examiner argues that de Jong discloses configuring hardware components on multiple selected hardware components, specifically with reference to col. 11, lines 47-59 and Figs. 28-29 thereof.

As Applicants have argued numerous times before, however, Fox does not disclose a “pictorial representation” as recited in claim 1. Fox discloses at most an iconic or diagrammatic representation given that the icons disclosed in Fox (e.g., as shown in Figs. 1-2, 7, 9 and 10) do not convey any relative physical configuration between the represented components. To further clarify this distinction, claim 1 has been amended to recite that the pictorial representation “conveys a relative placement and location of at least a subset of the hardware components in physical space,” a feature that is not found anywhere in Fox. The aforementioned figures in Fox, in particular, are incapable of indicating where, in a physical space, hardware components are placed and located relative to one another. If that were the case, Fig. 2 of Fox, for example, would have to indicate that the various icons displayed in the figure are actually physically positioned in those relative locations, a relationship that is unquestionably not the case.

Likewise, de Jong does not address this shortcoming of Fox. None of the illustrations of computer displays in de Jong conveys any sense of relative placement of hardware components. The only figure that illustrates an actual hardware device (Fig. 1B) is not a computer display, but is a perspective drawing of the actual device.

In addition, claim 1 recites the dynamic retrieval of a list of available management operations that are associated with at least two selected hardware components among the multiple hardware components having a selected status. As noted above, the Examiner has admitted that Fox does not disclose any such concept. However, de Jong similarly fails to disclose this aspect of claim 1. Col. 11, lines 47-59 and Figs. 28-29 of de Jong, which are relied upon by the Examiner, disclose an ability to individually select one or more drive icons (labeled 1-10) and then click on various control buttons to perform

different operations on the selected drives (e.g., “unassign drive,” “use as spare,” “add to array”). Of note, however, these control buttons are static in nature, i.e., they are always displayed in the “select drives” dialog box, irrespective of what drive icons have been selected. As such, to the extent these buttons represent operations that can be performed on selected drives, these operations are always available, and to the extent that these buttons represent a “list” of operations, that list never changes.

Claim 1, in contrast, is directed to “dynamically retrieving” a list of available management operations associated with at least two selected hardware components. Put another way, the list is contextual in nature, and based upon the types of operations that are suitable for multiple, selected components (e.g., as described in the Application as filed at page 21, line 28 to page 22, line 5). De Jong does not disclose or suggest that the types of operations that may be performed in the “select drives” dialog box shown in Figs. 28-29 may vary depending upon the drives that are selected. In addition, there is no disclosure or suggestion that any list of such operations is ever dynamically retrieved or generated based upon what drivers are selected by the user.

In addition, Applicants submit that one of ordinary skill in the art would not be motivated to modify Fox to incorporate a dynamically-retrieved list of available management operations. De Jong, in particular, does not suggest any such modification, because the “select drives” dialog box shown in Figs. 28-29 would require the exact same operations to be offered to the user irrespective of what drives are selected by the user. In addition, the components at issue (the drives) are all identical to one another, so there would be no need to dynamically retrieve a list based upon what components are selected by a user in de Jong.

Applicants therefore respectfully submit that independent claim 1 is non-obvious over Fox and de Jong. Reconsideration and allowance of claim 1, and of claims 2-12, 14-22 and 44 which depend therefrom, are therefore respectfully requested.

Next with regard to independent claims 23 and 40, each of these claims has been amended in a similar manner to claim 1, and each now recites in part that the pictorial representation conveys a relative placement and location of at least a subset of the hardware components in physical space, and the list of available management operations

is dynamically retrieved and associated with at least two selected hardware components. Claim 35 has also be amended for consistency with the amendments to claim 23. As discussed above in connection with claim 1, Fox and de Jong do not disclose or suggest this combination of features, whether taken alone or in combination. Accordingly, claims 23 and 40 are non-obvious over Fox and de Jong for the same reasons as presented above for claim 1. Reconsideration and allowance of claims 23 and 40, and of claims 24-32, 34-39, 41 and 45 which depend therefrom, are therefore respectfully requested.

Next, with regard to the rejection of independent claim 42, this claim has also been amended to clarify that the pictorial representation conveys a relative placement and location of at least a subset of the hardware components in physical space. In addition, the claim has been amended to clarify that the retrieval of the list of available management operations associated with the multiple selected hardware components is “dynamic” in nature.

As discussed above in connection with claim 1, the combination of Fox and de Jong fails to disclose or suggest a pictorial representation that conveys a relative placement and location of at least a subset of the hardware components in physical space. Furthermore, the combination of references fails to disclose or suggest the dynamic retrieval of a list of available management operations associated with multiple selected hardware components. Applicants therefore respectfully submit that independent claim 42 is non-obvious over the combination of Fox and de Jong for the same reasons presented above in connection with claim 1. Reconsideration and allowance of claim 42, and of claim 43 which depends therefrom, are therefore respectfully requested.

As a final matter, Applicants traverse the Examiner's rejections of the dependent claims based upon their dependency on the aforementioned independent claims. Nonetheless, Applicants do note that a number of these claims recite additional features that further distinguish these claims from the references cited by the Examiner.

For example, claims 44 and 45 have now been amended to recite the concept of dynamically generating the list after the multiple hardware components have been selected such that the list includes only management operations that are appropriate for being performed on all of the multiple hardware components having a selected status. As

discussed above in connection with claim 1, neither Fox nor de Jong discloses or suggests dynamically generating or retrieving a list of available management operations for multiple hardware components. Furthermore, there is no disclosure or suggestion in either reference of generating a list that includes only those operations that are appropriate for all of the selected components. Accordingly, claims 44 and 45 are additionally patentable over the prior art of record based upon this additional feature.

In summary, Applicants respectfully submit that all pending claims are novel and non-obvious over the prior art of record. Reconsideration and allowance of all pending claims are therefore respectfully requested. If the Examiner has any questions regarding the foregoing, or which might otherwise further this case onto allowance, the Examiner may contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

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Date

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